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are county charges in city, county, and city and county tuberculosis wards and hospitals and the tuberculosis wards and hospitals maintained by any group of counties shall be based upon his reports and under the rules and regulations of the board. The director and other employees of the bureau shall be allowed their actual and necessary traveling expenses incurred in the performance of their duties.

SEC. 3. Every city, county, city and county, or group of counties which establishes and maintains a tuberculosis ward or hospital shall receive from the State the sum of \$3 per week for each person in the active stages of tuberculosis, cared for therein at public expense who is unable to pay for his support and who has no relative legally liable and financially able to pay for his support and who has been a bona fide resident of such city, county, city and county, or group of counties for one year: *Provided*, That the city, county, city and county, or group of counties shall not become entitled to receive such State aid unless the tuberculosis ward or hospital conforms to the regulations of and is approved by the State bureau of tuberculosis. The medical superintendent of each hospital receiving State aid under this act shall render semi-annually to the State bureau of tuberculosis a report under oath showing, for the period covered by the report, (1) the number of patients in the active stages of tuberculosis cared for therein at public expense, unable to pay for their own support and having no relatives legally liable and financially able to pay therefor, and (2) the number of weeks of treatment of each of such patients.

SEC. 4. The sum of \$75,000 is hereby appropriated out of any moneys in the State treasury not otherwise appropriated, to be expended by the State board of health in carrying out the provisions of this act: *Provided, however*, That not more than the sum of \$20,000 shall be available for the purposes of this act other than the State aid herein provided. All claims against this appropriation shall be audited by the State board of control. The State controller is hereby directed to draw his warrants for such sums aggregating the amount of this appropriation and the State treasurer is directed to pay the same.

SEC. 5. An act entitled "An act to provide for the establishment and maintenance of a department of tuberculosis under the direction of the State board of health; defining its powers and duties; and making an appropriation therefor," approved June 13, 1913,¹ is hereby repealed.

State Board of Health—Department of Sanitary Engineering—Establishment and Maintenance. (Chap. 478, Act May 24, 1915.)

SECTION 1. The State board of health shall maintain a department of sanitary engineering which shall have charge of such matters and shall have such powers as may from time to time be referred and delegated to it by the State board of health. The board shall appoint a director of the department, who shall be a graduate sanitary engineer, whose salary shall be \$4,000 per annum. The State board of health may employ and fix the compensation of other additional professional and clerical assistants and such compensation shall be paid from the funds provided for the maintenance of the department of sanitary engineering. The sum of \$30,000 is hereby appropriated for the purpose of this act. Claims against the fund shall be audited by the State board of health and by the board of control and shall be paid by the State treasurer upon warrants drawn by the State controller.

Milk and Milk Products—Production, Care, and Sale—Tuberculin Test. (Chap. 742, Act June 11, 1915.)

SECTION 1. It shall be unlawful for any person, firm, or corporation, except in bulk to the wholesale trade, to sell or exchange or offer or expose for sale or exchange for human consumption any milk from cows that have not passed the tuberculin test, until it has been pasteurized by the holding process at a temperature not less than 140

¹Reprint No. 264, p. 63.

degrees Fahrenheit for 25 minutes: *Provided*, That milk for drinking purposes shall not be heated above 145 degrees Fahrenheit. It shall further be unlawful for any person, firm, or corporation to sell or exchange or offer or expose for sale or exchange any milk products except cheese, into the composition of which any milk enters other than that permitted in this section of this act, to be sold at retail. For the purpose of this act milk shall be construed to include cream.

SEC. 2. It shall be unlawful for any person, firm, or corporation to sell or exchange, or offer for sale or exchange, in any city, county, or city and county, in which a milk inspection service, approved by the State dairy bureau, has been established, any milk otherwise than as hereinafter provided in this act, and for the purpose of this act, the term "inspecting department" shall be construed to mean the health department of a county or group of counties, city or group of cities, or city and county maintaining a milk inspection service approved by the State dairy bureau.

SEC. 3. All milk, except certified milk, guaranteed milk, grade A milk, and grade B milk, is hereby declared to be impure and unwholesome and must not be sold for human consumption.

SEC. 4. For the purpose of this act milk shall be graded as follows: Certified milk, guaranteed milk, grade A milk, grade B milk, and milk not suitable for human consumption: *Provided*, That milk not suitable for human consumption shall be plainly so marked.

SEC. 5. No person, firm, or corporation shall sell or exchange, or offer or expose for sale or exchange, as or for guaranteed milk, any milk, raw or pasteurized, the quality of which is guaranteed by the dealer without approval in writing of the inspecting department, which milk must be of a higher standard than that required for grade A raw milk.

SEC. 6. No person, firm, or corporation shall sell or exchange, or offer or expose for sale or exchange, as and for grade A milk, any milk that does not conform to the rules and regulations and the methods and standards for production and distribution of grade A milk adopted by the inspecting department.

Grade A milk shall conform to the following requirements as a minimum: If raw, it shall consist of the clean raw milk from healthy cows, as determined by physical examination and by the tuberculin test by a qualified veterinarian under the supervision of the inspecting department, and from dairies that score not less than 70 per cent on the score card adopted by the United States Bureau of Animal Industry, Department of Agriculture. The tuberculin test must be repeated annually if no reacting animals are found in the herd. If reacting animals are found, they must be removed from the herd and the tuberculin test repeated in six months. All cows are to be fed, watered, housed, and milked under conditions approved by the inspecting department. All persons who come in contact with the milk must exercise scrupulous cleanliness and must not harbor the germs of typhoid fever, tuberculosis, diphtheria, or other infectious diseases liable to be conveyed by milk. Absence of such infections shall be determined by cultures and physical examination to the satisfaction of the inspecting department.

This milk is to be delivered in sterile containers and is to be kept at a temperature established by the inspecting department until it reaches the ultimate consumer, when it must contain less than 100,000 bacteria per cubic centimeter. If pasteurized, it shall come from cows free from disease, as determined by physical examination at least once in six months by a qualified veterinarian of an inspecting department. It shall contain less than 200,000 bacteria per cubic centimeter before pasteurization and less than 10,000 bacteria per cubic centimeter at the time of delivery to the ultimate consumer. Dairies from which this milk is derived must score at least 60 on the score card adopted by the United States Bureau of Animal Industry, Department of Agriculture.

SEC. 7. No person, firm, or corporation shall sell or exchange, or offer or expose for sale or exchange, as and for grade B milk, any milk that does not conform to the fol-

lowing requirements as a minimum: It must be obtained from cows in no way unfit for the production of milk for use by man, as determined by physical examination at least once in six months by a qualified veterinarian of an inspecting department. Before pasteurization such milk shall contain less than 1,000,000 bacteria per cubic centimeter. After pasteurization it shall contain less than 50,000 bacteria per cubic centimeter.

Milk for pasteurization must be kept at a temperature established by the inspecting department up to the time of delivery to the pasteurization plant and rapidly cooled after pasteurization to a temperature of 50° Fahrenheit, or below, and so maintained to the time of delivery of the same. Pasteurization shall be by the holding method at a temperature not less than 140° Fahrenheit: *Provided*, That milk for drinking purposes shall not be heated above 145° Fahrenheit.

Such pasteurizing plant shall be equipped with a self-registering device for record of the time and temperature of pasteurization. Such records shall be kept for two months and be available for inspection by any health department, the State veterinarian, or any of his agents, or the State dairy bureau. Pasteurized milk shall be marked with the day of the week of pasteurization and must be delivered to the consumer within 48 hours thereafter. If milk is repasteurized, it must not be sold except as not suitable for human consumption.

SEC. 8. Milk not suitable for human consumption may be sold for industrial purposes, provided it be heated to a higher temperature than necessary for pasteurization, and delivered in a distinctive container, plainly marked with the words "Not suitable for human consumption," in letters not less than one-quarter inch in length and one-twelfth inch stroke.

SEC. 9. Counties, or groups of counties, cities or groups of cities, or cities and counties, are hereby authorized to maintain a milk-inspection service and laboratory conformable to requirements as set forth by the State dairy bureau, and to establish pasteurizing plants.

SEC. 10. Any person who shall violate any provision of this act shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than \$25 nor more than \$200, or by imprisonment in the county jail for not less than 10 days nor more than 60 days, or by both such fine and imprisonment. One-half of all such fines shall be paid into the State treasury and placed to the credit of the general fund.

SEC. 11. It shall be the duty of the State dairy bureau, with the assistance of the pure-food and drugs laboratory, to enforce all the provisions of this act except the tuberculin testing of cows; and said bureau, with the approval and assistance of the pure-food and drugs laboratory, is hereby empowered to make such rules and regulations as may be necessary and advisable for such enforcement.

SEC. 12. It shall be the duty of the State veterinarian, as soon as practicable, either directly or through local inspecting departments, to enforce the provisions of this act as to the tuberculin testing of cows. For such purpose he may appoint such veterinarians as may be necessary.

SEC. 13. If any dairyman not operating under an inspecting department desires to sell milk, he may file with the State veterinarian a written request that his cows be tuberculin tested. After the filing of such request, said dairyman shall not be liable under the provisions of this act until such time as the State veterinarian shall be able to make the required test. The provision of this section shall apply also to any dairyman operating under an inspecting department if such inspecting department approves.

SEC. 14. There is hereby appropriated out of any moneys in the State treasury not otherwise appropriated the sum of \$10,000, to be expended by the State veterinarian in accordance with the law to carry out the purposes of this act.

SEC. 15. The provisions of this act shall be effective on and after October 1, 1916.